

JUL 27 2005

NO. 9564 P. 14/30

PATENT

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on July 27, 2005.


Allie Barrett

Applicant: Blodgett, Jr.
Serial No.: 10/766,267
Filed: January 27, 2004
Title: VEHICLE SLIDE OUT
FRAMEWORK
Group Art Unit: 3612
Examiner: Dennis H. Pedder
Docket No.: 18393-512

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SUPPLEMENTAL DECLARATION OF RAYMOND BLODGETT, JR.

UNDER 37 C.F.R. SECTION 1.131

I, Raymond Blodgett, Jr., states as follows:

1. I am over the age of 18 years and am competent to make this Affidavit. This Affidavit is made upon personal knowledge setting forth facts I believe to be true.
2. This Declaration supplements an earlier Declaration dated January 19, 2005 which I previously provided in the above-referenced application.
3. I am the named inventor in the above-referenced patent application.
4. I was an employee of RBW Industries, Inc., ("RBW") at the time I conceived of the invention claimed in the above-referenced application and at the time the above-mentioned application was filed at the U.S. Patent and Trademark Office. I was also the President of RBW at those times.
5. This Supplemental Declaration is made in support of a showing under 37 C.F.R. Section 1.131 that the invention set forth in certain pending claims in the above-referenced patent application occurred prior to the effective filing date of U.S. Patent Publication No. 2002/0084664 (the "664 Publication"), i.e., prior to October 24, 2000.

Applicant: Blodgett, Jr.
Serial No.: 10/766,267

PATENT
Atty Docket: 18393-512

6. RBW is a company that designs and manufactures slide-out mechanisms and frameworks for use on recreational vehicles.
7. At least as early as February 4, 2000, I conceived for RBW a vehicle slide-out framework that includes a frame including two frame members where the second frame member is comprised of a first support rail and a second support rail.
8. The first support rail and the second support rail are connected to each other such that a load encountered by the second frame member is distributed across the first and second support rails.
9. On or about February 4, 2000, drawings showing the framework I conceived were forwarded, via fax, by Larry Revelino, another employee of RBW, from RBW to Ronald Tamura of the law firm of Oppenheimer Wolff & Donnelly LLP for Mr. Tamura's use in preparing a patent application that included this framework. A true and correct copy of the drawings showing the framework as faxed to Mr. Tamura is attached hereto as Exhibit 1. As can be seen, the documents included in Exhibit 1 disclose the inventive framework which is claimed in the present application. As can also be seen, the top of pages 2-4 of this fax have the date "Feb 04 00" and the RBW name and fax number. This fax number corroborates that my conception of the invention occurred at least as early as February 4th, 2000.
10. It is noted that the fax cover sheet of Exhibit 1 indicates a total of 21 sheets were faxed. Only pages 2-4 of this fax are provided in this supplemental declaration as the other pages pertain to subject matter not relevant to the present application.

Applicant: Blodgett, Jr.
Serial No.: 10/766,267

PATENT
Atty Docket: 18393-512

11. The embodiments of the invention depicted in Exhibit 1 are disclosed in their entirety within the specification of the above-referenced patent application.
12. Over the next several weeks and months, RBW provided additional materials and information to Mr. Tamura. Mr. Tamura was responsible for including this new information and material in the parent application to the above-referenced patent application.
13. At the same time Mr. Tamura was preparing the parent to the above-referenced patent application, RBW had fabricated a sample slide-out framework having the claimed invention and was showing this sample framework to potential customers. On or about August 11, 2000, RBW provided a product quote for this sample framework it had shown to one such potential customer. A true and correct copy of the product quote is attached hereto as Exhibit 2.
14. As can be seen in Exhibit 2, the "Product Recommendation" line says "LPS-20504." "LPS" of "LPS-20504" is an acronym used at RBW for the phrase "Low Profile Slide-out" and "20504" of "LPS-20504" is a series designation used at RBW as the identifier of a specific low profile model that incorporates a first support rail and a second support rail connected to each other as claimed in this application. In other words the "LPS-20504" designation refers to an RBW slide-out in accordance with the claimed invention.
15. In view of the foregoing, this product quote as set forth in Exhibit 2 is evidence that the claimed invention was actually reduced to practice at least as early as August 11, 2000. This product quote as set forth in Exhibit 2 also shows that RBW exercised diligence between the conception and the reduction to practice of the invention.

Applicant: Blodgett, Jr.
Serial No.: 10/766,267

PATENT
Atty Docket: 18393-512

16. On or about October 2, 2000, Mr. Tamura sent a draft of the parent application to the above-referenced patent application to RBW for my review. A true and correct copy of the letter forwarding this draft and the draft itself is attached as Exhibit 3. As you can see, this letter references attorney docket number 18393-12. This is the attorney docket number for the parent application to the present application. This can be confirmed by viewing the PAIR screen for the parent application (U.S. Application Serial Number 09/723,020). The present application is a continuation application from the parent application under 37 C.F.R. Section 1.53(b). I provided my comments on the draft to Mr. Tamura in the days and weeks thereafter.
17. On or about November 21, 2000, Mr. Tamura sent a final draft of the above-referenced patent application to RBW for my review. A true and correct copy of the letter forwarding this final draft is attached as Exhibit 4. As you can see, this letter references attorney docket number 18393-12. This is the attorney docket number for the parent application to the present application. This can be confirmed by viewing the PAIR screen for the parent application (U.S. Application Serial Number 09/723,020). The present application is a continuation application from the parent application under 37 C.F.R. Section 1.53(b). I provided my comments on the draft to Mr. Tamura in the days and weeks thereafter. Shortly thereafter, I authorized Mr. Tamura to file the application with the U.S. Patent and Trademark Office. The parent application was then filed on November 27, 2000.
18. In summary, Exhibit 1 corroborates my statement that the claimed invention was conceived by me at least as early as February 4, 2000. Exhibit 2 demonstrates that the claimed invention was actually reduced to practice at least as early as August 11, 2000. The filing of the parent application demonstrates constructive reduction to practice of the claimed invention on November 27, 2000. Exhibits 1-4 collectively show RBW's activities to

Applicant: Blodgett, Jr.
Serial No.: 10/766,267

PATENT
Atty Docket: 18393-512

develop and reduce the invention to practice after it was conceived and thus collectively demonstrate both diligence between conception and actual reduction to practice of the invention and diligence between conception and constructive reduction to practice of the invention.

19. As such, it is my view that this supplemental declaration establishes invention of the claimed subject matter prior to the effective date of the '664 Publication, i.e., before October 24, 2000, and thus that the '664 Publication can no longer serve as the proper grounds for rejecting the claimed invention.
20. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

July
Dated: ~~June~~ 18, 2005
pub

Raymond Blodgett, Jr.
Raymond Blodgett, Jr.